

*United States' Fishery Rights on Coasts of
British North America.*

Hertslet's Treaties,
vol. ii, pp. 392,
393.

1. UNDER the 1st Article of a Convention between Great Britain and the United States, dated London, the 20th of October, 1818, the right was conceded to the inhabitants of the United States for ever to take fish, and, with certain modifications, to dry and cure fish, off and on part of the coasts of Newfoundland and Labrador; and the United States withdrew their claim for ever to take, dry, and cure fish "on or within three marine miles of any of the coasts, bays, creeks, or harbours of His Britannic Majesty's dominions in America not included within the above-mentioned limits."

Hertslet, vol. iv,
p. 491.

2. The Act 59 Geo. III, cap. 38, sec. 2, saving Treaty rights, and especially rights under the above-mentioned Convention, prohibited persons on board foreign vessels, or vessels not navigated according to the laws of the United Kingdom, from fishing "within three marine miles of any coasts, bays, creeks, or harbours whatever in any part of His Majesty's dominions in America," under penalty of forfeiture of the ship and everything on board. This enactment was of course conclusive, but the New Brunswick local Act 16 Vict., cap. 69, contains the following provision:—

"If the vessel or boat shall be foreign, and not navigated according to the laws of Great Britain and Ireland, and shall be found fishing, or to have been fishing, or preparing to fish within three marine miles of such coasts or harbours (*i. e.*, the coasts and harbours of New Brunswick), such vessel or boat and the cargo shall be forfeited;" and in the Revised Statutes of Nova Scotia (Title XXV,